

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TALECRIS BIOTHERAPEUTICS, INC. and )	
BAYER HEALTHCARE LLC, )	
	)
Plaintiffs, )	C. A. No. 05-349-GMS
	)
v. )	JURY TRIAL DEMANDED
	)
BAXTER INTERNATIONAL INC. and )	
BAXTER HEALTHCARE CORPORATION, )	
	)
Defendants. )	
	)
	)
-----	
BAXTER HEALTHCARE CORPORATION, )	
	)
Counterclaimant, )	
	)
v. )	
	)
TALECRIS BIOTHERAPEUTICS, INC. and )	
BAYER HEALTHCARE LLC, )	
	)
Counterdefendants. )	

**NOTICE OF SERVICE OF SUBPOENA**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 45, a subpoena, attached hereto as Exhibit 1, is being served on David Hammond, c/o Gabrielle Ciuffreda, Esq., Ropes & Gray LLP, 1251 Avenue of the Americas, New York, NY 10020.

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OF COUNSEL:

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Dated: September 1, 2006

7485316

By: /s/ Philip A. Rovner

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*Attorneys for Defendant*

*Baxter International Inc. and*

*Defendant/Counterclaimant*

*Baxter Healthcare Corporation*

# **EXHIBIT 1**

## Issued by the

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MARYLAND

TALECRIS BIOTHERAPEUTICS, INC., et al

V.

BAXTER INTERNATIONAL INC. and  
BAXTER HEALTHCARE CORPORATION

## SUBPOENA IN A CIVIL CASE

Case Number:<sup>1</sup> 05-349-GMS, USDC, District of  
DelawareTO: David Hammond  
4916 Ripplemead Ct  
Gaithersburg, MD 20882-1838, (240) 683-5515 YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

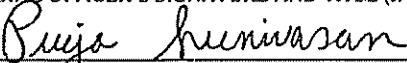
 YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION Whittman Reporting, 15200 Shady Grove Road, Suite 350 Rockville, MD 20850, (301) 279-7599	DATE AND TIME 9/11/2006, 9:00 am
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 YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE	DATE AND TIME
<input type="checkbox"/> YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.	
PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) 	DATE 9/01/2006
--	-------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Priya Sreenivasan, TOWNSEND AND TOWNSEND AND CREW LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111, Telephone (415) 576-0200
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(See Rule 45, Federal Rules of Civil Procedure. Parts C &amp; D on next page)

<sup>1</sup>If action is pending in district other than district of issuance, state district under case number.

AO 88 (Rev 1/94) Subpoena in a Civil Case

**PROOF OF SERVICE**

DATE \_\_\_\_\_ PLACE \_\_\_\_\_  
SERVED: \_\_\_\_\_

**SERVED ON (PRINT NAME)** **MANNER OF SERVICE**

SERVED BY (PRINT NAME) \_\_\_\_\_ TITLE \_\_\_\_\_

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on \_\_\_\_\_

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**SIGNATURE OF SERVER**

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**ADDRESS OF SERVER**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**CERTIFICATE OF SERVICE**

I, Philip A. Rovner, hereby certify that on September 1, 2006, the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

**BY HAND DELIVERY AND E-MAIL**

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I hereby certify that on September 1, 2006 I have sent by E-mail and Federal Express the foregoing documents to the following non-registered participants:

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